

04-19-00

A



04/18/00  
Customer No. 20350

TOWNSEND and TOWNSEND and CREW LLP  
Two Embarcadero Center, 8<sup>th</sup> Floor  
San Francisco, California 94111-3834  
(415) 576-0200

Attorney Docket No. 16770-002721US

"Express Mail" Label No. EK682469647US

Date of Deposit: April 18, 2000

I hereby certify that this is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above, addressed to:

Assistant Commissioner for Patents  
Washington, D.C. 20231

By: Janet Byrne

ASSISTANT COMMISSIONER FOR PATENTS  
BOX PATENT APPLICATION  
Washington, D.C. 20231

Sir:

Transmitted herewith for filing under 37 CFR 1.53(b) is the

- ☐ patent application of  
☒ continuation patent application of  
☐ divisional patent application of  
☐ continuation-in-part patent application of

Inventor(s)/Applicant Identifier: Yehuda Ivri et al.

For: METHODS AND APPARATUS FOR STORING CHEMICAL COMPOUNDS IN A PORTABLE INHALER

- [ X ] This application claims priority from each of the following Application Nos./filing dates:  
09/313,914/May 18, 1999/09/149,426/September 8, 1998/09/095,737/June 11, 1998  
the disclosure(s) of which is (are) incorporated by reference.
- [ X ] Please amend this application by adding the following before the first sentence: "This application is a [ X ] continuation and claims the benefit of U.S. Application No. 09/313,914, filed May 18, 1999, which is a continuation-in-part of U.S. Application No. 09/149,426, filed September 8, 1998, which is a continuation-in-part of U.S. Application No. 09/095,737 (now U.S. Patent No. 6,014,970), filed June 11, 1998, the disclosures of which are incorporated by reference."

Enclosed are:

- [ X ] 23 page(s) of specification  
[ X ] 4 page(s) of claims  
[ X ] 1 page of Abstract  
[ X ] 23 sheet(s) of ☐ formal ☒ informal drawing(s).  
[ X ] A ☒ signed copy of the Declaration from the prior application.  
[ X ] Preliminary Amendment

	(Col. 1)	(Col. 2)
FOR:	NO. FILED	NO. EXTRA
BASIC FEE		
TOTAL CLAIMS	8 - 20	= *0
INDEP. CLAIMS	2 - 3	= *0
[ ] MULTIPLE DEPENDENT CLAIM PRESENTED		

\* If the difference in Col. 1 is less than 0, enter "0" in Col. 2.

Please charge Deposit Account No. 20-1430 as follows:

- [ X ] Filing fee \$ 690.00  
[ X ] Any additional fees associated with this paper or during the pendency of this application.  
[ ] The issue fee set in 37 CFR 1.18 at or before mailing of the Notice of Allowance, pursuant to 37 CFR 1.311(b)

2 extra copies of this sheet are enclosed.

Telephone: (303) 571-4000  
Facsimile: (303) 571-4321

SMALL ENTITY	
RATE	FEE
	\$345.00
x \$9.00 =	
x \$39.00 =	
+ \$130.00 =	
TOTAL	

OTHER THAN SMALL ENTITY	
RATE	FEE
	\$690.00
x \$18.00 =	\$0.00
x \$78.00 =	\$0.00
+ \$260.00 =	
TOTAL	\$690.00

Respectfully submitted,  
TOWNSEND and TOWNSEND and CREW LLP

Darin J. Gibby  
Reg No.: 38,464  
Attorneys for Applicant

The PTO did not receive the following listed item(s): 23 Sheets of drawings, (only 22 Sheets)

CLASS. U.S. P.T.O.  
09/551408



"Express Mail" Label No. EK68246964745  
Date of Deposit April 18, 2000

PATENT  
Attorney Docket No.: 16770-002721US

I hereby certify that this is being deposited with the United States Postal Service "Express Mail Post Office to Address" service under 37 CFR 1.10 on the date indicated above and is addressed to:

Assistant Commissioner for Patents  
Washington, D.C. 20231

By: Janet Byrne

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

Yehuda Ivri et al.

Filed: Herewith

For: METHODS AND APPARATUS  
FOR STORING CHEMICAL  
COMPOUNDS IN A PORTABLE  
INHALER

Art Unit: 3761

PRELIMINARY AMENDMENT

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

Prior to examination of the above-referenced application, please enter the following amendments and remarks.

IN THE CLAIMS:

Please cancel claims 1-31 and add new claims 32-39

--32. A vibratable aperture plate, comprising:

a plate body having a front surface, a rear surface, and a plurality of tapered apertures extending from the rear surface to the front surface, wherein the plate body is constructed primarily of palladium.

33. An aperture plate as in claim 1, wherein the plate body is constructed of palladium-nickel.

34. An aperture plate as in claim 2, wherein the plate body is constructed of about 80% palladium and about 20% nickel.

35. An aperture plate as in claim 1, wherein the plate body is constructed of palladium cobalt.

36. An aerosolizing apparatus comprising:

a housing having an exit opening;

an aerosol generator disposed in the housing, the aerosol generator comprising a plate body having a front surface, a rear surface, and a plurality of tapered apertures extending from the rear surface to the front surface, wherein the plate body is constructed primarily of palladium, and a vibratable element disposed to vibrate the plate body.

37. An apparatus as in claim 5, wherein the plate body is constructed of palladium-nickel.

38. An apparatus as in claim 6, wherein the plate body is constructed of about 80% palladium and about 20% nickel.

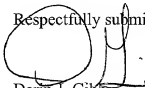
39. An apparatus as in claim 5, wherein the plate body is constructed of palladium cobalt.--

REMARKS

Claims 1-31 have been canceled. New claims 32 and 39 have been added.  
Examination of the claims, as amended, is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 303-571-4000.

Respectfully submitted,



Darin J. Gibby  
Reg. No. 38,464

TOWNSEND and TOWNSEND and CREW LLP  
Two Embarcadero Center, 8<sup>th</sup> Floor  
San Francisco, California 94111-3834  
Tel: (303) 571-4000  
Fax: (303) 571-4321  
DJG:jljb  
DE 7014999 v1

**PATENT APPLICATION**  
**IMPROVED METHODS AND APPARATUS FOR STORING**  
**CHEMICAL COMPOUNDS IN A PORTABLE INHALER**

**Inventors:**

Yehuda Ivri, a U.S. citizen, residing at  
38 Silkberry, Irvine, CA 92614;

Linda R. De Young, a U.S. citizen, residing at  
310 Shelter Cove Drive, El Granada, California 94018;

Cheng H. Wu, a citizen of Taiwan, residing at  
362 Pescadero Terrace, Sunnyvale, CA 94086;

Miro S. Cater, a U.S. citizen, residing at  
1777 Mitchell Court, Daytona Beach, FL 32124-6760;

Vijay Kumar, a U.S. citizen, residing at  
228 Leota Ave., Sunnyvale, CA 94086; and

Markus Flierl, a German citizen, residing at  
1273 Ayala Drive, Sunnyvale, CA 94086.

**Assignee:**

AeroGen, Inc.  
1310 Orleans Drive  
Sunnyvale, California 94089,  
a corporation of the state of Delaware

**Entity:** Small business concern

## IMPROVED METHODS AND APPARATUS FOR STORING CHEMICAL COMPOUNDS IN A PORTABLE INHALER

### CROSS-REFERENCES TO RELATED APPLICATIONS

5           This application is a continuation in part application of U.S. Patent Application Serial No. 09/095,737, filed June 11, 1998, which is a continuation in part application of U.S. Patent Application Serial No. 09/149,426, filed September 8, 1998; and of U.S. Patent Application Serial No. 08/417,311, filed April 5, 1995 the complete disclosures of which are herein incorporated by reference.

### BACKGROUND OF THE INVENTION

10           The invention relates generally to the field of inhalation drug therapy, and in particular to the inhalation of aerosolized chemical substances. In one aspect, the invention provides a portable inhaler having a cartridge for storing a chemical substance  
15           in a dry state and a liquid dispenser to introduce a liquid to the substance to form a solution. Immediately after formation of the solution, the inhaler aerosolizes the solution so that it may be administered to a patient.

          The atomization of liquid medicaments is becoming a promising way to effectively deliver many medicaments to a patient. In particular there is a potential for  
20           pulmonary delivery of protein peptides and other biological entities. Many of these are easily degraded and become inactive if kept in a liquid form. Proteins and peptides often exhibit greater stability in the solid state. This results primarily from two factors. First, the concentration of water, a reactant in several protein degradation pathways, is reduced. See Stability of Protein Pharmaceuticals, M.C. Manning, K. Patel, and R.T. Borchardt,  
25           Pharm. Res. 6, 903-918 (1989), the complete disclosure of which is herein incorporated by reference. Second, the proteins and other excipients are immobilized in the solid state. Water is a reactant in hydrolysis reactions, including peptide change and cleavage, and deamidation. Reducing the water concentration by freeze-drying or spray drying, reduces this reactant concentration and therefore the rates of these degradation pathways.

30           The mobility of the peptides or proteins, as well as other molecules in the formulation, are reduced in the solid or dry state. See Molecular Mobility of Amorphous Pharmaceutical Solids Below Their Glass Transition Temperatures, B.C. Hancock, S.L. Shamblin, and G. Zografi, Pharm. Res. 12, 799-806 (1995), the complete disclosure of

which is herein incorporated by reference. For the peptides or proteins, this reduces the rate of intermolecular interactions as well as intramolecular conformational changes or fluctuations in conformation. Minimization of intermolecular interactions will reduce protein and peptide aggregation/precipitation, and will also reduce the rate of diffusion of chemical reactants to the protein or peptide which will slow the rate of chemical degradation pathways. Reduction in intramolecular conformational changes reduces the rate at which potentially reactive groups become available for chemical or intermolecular interaction. The rate of this reaction may decrease as the water concentration, and mobility of the protein, is reduced.

One way to produce protein in solid or dry state is to transform the liquid into a fine powder. When used for inhalation delivery, such powders should be composed of small particles with a mean mass diameter of 1 to 5 microns, with a tight particle size distribution. However, this requirement increases the processing and packaging cost of the dry powder. See also U.S. patent 5,654,007 entitled "Methods and System for Processing Dispersible Fine Powders" and U.S. Patent 5,458,135 entitled "Methods and Devices for Delivering Aerosolized Medicaments", the disclosures of which are incorporated herein by reference.

An easier way to transform a liquid solution to solid or dry form is to use a freeze drying process where a liquid solution is converted to a solid substance that can be readily reconstituted to a liquid solution by dissolving it with a liquid, such as water. Hence, one object of the present invention is to provide a way to store a solid substance and combine the solid substance the with a liquid to form a solution. Once the solution is formed, it is another object of the invention to rapidly transport the solution to an atomization device to allow the solution to be aerosolized for administration. In this way, the solution is aerosolized immediately after its reconstitution so that the degradation rate of the substance is reduced.

A variety of nebulization devices are available for atomizing liquid solutions. For example, one exemplary atomization apparatus is described in U.S. Patent No. 5,164,740, issued to Ivri ("the '740 patent"), the complete disclosure of which is herein incorporated by reference. The '740 patent describes an apparatus which comprises an ultrasonic transducer and an aperture plate attached to the transducer. The aperture plate includes tapered apertures which are employed to produce small liquid droplets. The transducer vibrates the plate at relatively high frequencies so that when the liquid is placed in contact with the rear surface of the aperture plate and the plate is

vibrated, liquid droplets will be ejected through the apertures. The apparatus described in the '740 patent has been instrumental in producing small liquid droplets without the need for placing a fluidic chamber in contact with the aperture plate, as in previously proposed designs. Instead, small volumes of liquid can be placed on the rear surface of the aperture plate and held to the rear surface by surface tension forces.

A modification of the '740 apparatus is described in U.S. Patent Nos. 5,586,550 ("the '550 patent") and 5,758,637 ("the '637 patent"), the complete disclosures of which are herein incorporated by reference. These two references describe a liquid droplet generator which is particularly useful in producing a high flow of droplets in a narrow size distribution. As described in the '550 patent, the use of a non-planar aperture plate is advantageous in allowing more of the apertures to eject liquid droplets. Furthermore, the liquid droplets may be formed within the range from about 1  $\mu\text{m}$  to about 5  $\mu\text{m}$  so that the apparatus will be useful for delivering drugs to the lungs.

Hence, it is a further objective of the invention to provide devices and methods to facilitate the transfer of liquid solutions (preferably those which have just been reconstituted) to such aerosolizing apparatus so that the solution may be atomized for inhalation. In so doing, one important consideration that should be addressed is the delivery of the proper dosage. Hence, it is still another object of the invention to ensure that the proper amount of liquid medicament is transferred to an aerosol generator so that a proper dosage may be delivered to the lungs.

### SUMMARY OF THE INVENTION

The invention provides exemplary systems, apparatus and methods for reconstituting a solid phase substance, e.g., a substance that is in a dry state, with liquid to form a solution and for transporting the solution to an aerosol generator for subsequent atomization. In one exemplary embodiment, the system comprises a liquid dispenser, a cartridge containing a substance in a dry state, and an aerosol generator. In use, the cartridge is coupled to an outlet of the dispenser and the dispenser is operated to dispense liquid from the outlet and into the cartridge. The liquid then flows through the substance and exits the cartridge as a solution.

In an exemplary aspect, the cartridge is replaced and disposed after each use. After removal of the cartridge the user may optionally operate the liquid dispenser to deliver liquid to the aerosol generator for a subsequent cleaning cycle. In another exemplary aspect, a liquid outlet of the cartridge is positioned near the aerosol generator



such that the solution is dispensed onto the aerosol generator and is readily available for atomization.

### The Liquid Dispenser

5 In an exemplary embodiment, the liquid dispenser comprises a mechanical pump that is attached to a canister. The liquid dispenser is disposed within a housing of the inhaler and is configured to deliver a predetermined volume of liquid each time the mechanical pump is operated. The dispensed liquid then flows directly from the pump to the cartridge to form a solution which in turn is deposited on the aerosol generator.

10 In one particular aspect, the liquid is a saline solution or sterile water and may optionally contain an anti-microbial additive. As previously mentioned, the solid substance in the cartridge preferably comprises a chemical that is in the dry state which is reconstituted into a solution upon introduction of the liquid from the liquid dispenser.

15 In one particularly preferable aspect, the mechanical pump comprises a piston pump that is connected to the canister. The piston pump comprises a spring-loaded piston member that is slidable within a cylindrical member which defines a metering chamber. When the piston member is moved to a filling position, the metering chamber is filled with liquid from the canister. When released, the piston member moves to a dispensing position to dispense a known volume of liquid from the metering chamber. In  
20 this way, each time the pump is operated, a unit volume of liquid is dispensed from the piston pump.

In one particularly preferable aspect, movement of the piston member toward the filling position creates a vacuum inside the cylindrical member that gradually increases until the piston member reaches a point where a passage is provided between  
25 the piston member and the cylindrical member. At this point, the piston member has reached the filling position to allow liquid from the canister to be drawn by the vacuum into the metering chamber of the cylinder. At this point, the piston member is released and returns by the force of the spring back to the dispensing position. During the return travel of the piston member to the dispensing position, the liquid in the metering chamber  
30 is displaced through an outlet of the pump.

In another particular aspect, the piston pump is configured to deliver volumes of liquid in the range of about 10  $\mu\text{L}$  to about 50  $\mu\text{L}$  each time the pump is operated. In another aspect, the piston pump is configured such that it will dispense a full unit volume only if the user fully depresses the piston to the filling position. If the piston

member is only partially depressed, no liquid will be dispensed. In this manner, partial dosing is prevented.

In still yet another aspect, the liquid dispenser further includes a valve which serves to eliminate the dead volume in the piston pump, thereby inhibiting microbial inflow into the liquid dispenser. The valve preferably comprises a tubular valve seat that is slidably disposed about a distal end of the piston member. In this way, the liquid within the metering chamber moves the tubular valve seat distally over the piston member to allow the liquid in the metering chamber to be dispensed by flowing between the piston member and the tubular valve seat when the piston member is moved toward the dispensing position. The tubular valve seat is also slidable within the cylindrical member, and the cylindrical member defines a stop to stop distal movement of the tubular valve seat relative to the piston member after the unit volume of liquid has been dispensed from the metering chamber. Further, when the spring forces the distal end of the piston member into a distal end of the tubular valve seat, a seal is provided between the piston member and the tubular valve seat to prevent microbial inflow into the piston pump. Hence, use of the tubular valve seat in combination with the piston member and the cylindrical member allows for a unit volume of the liquid within the piston pump to be dispensed and further provides a seal to prevent microbial inflow into the piston pump.

#### The Drug Cartridge

The cartridge of the invention allows for the storage of a chemical in a dry state. When a liquid is introduced into the cartridge, the chemical substance dissolves within the liquid to form a solution just prior to aerosolization of the solution.

In one exemplary embodiment, the cartridge comprises a housing having an inlet opening and an outlet opening. Disposed in the housing is a chemical substance which is in a dry state. As liquid flows through the housing, the substance dissolves and flows through the outlet opening as a solution. The chemical substance may be any one of a variety of chemical substances, such as proteins, peptides, small molecule chemical entities, genetic materials, and other macromolecules and small molecules used as pharmaceuticals. One particular substance is a lyophilized protein, such as interferon alpha or alpha 1 prolactin. The lyophilized substance is preferably held in a support structure to increase the surface area that is in contact with the liquid, thereby increasing the rate by which the substance is dissolved. The support structure is preferably configured to hold the lyophilized substance in a three-dimensional matrix so that the

surface area of the substance that is contact with the liquid is increased. Exemplary types of support structures include open cell porous materials having many tortuous flow paths which enhance mixing so that the solution exiting from the outlet end is homogenized. Alternatively, the support structure may be constructed of a woven synthetic material, a metal screen, a stack of solid glass or plastic beads, and the like.

When used in connection with the aerosolizing apparatus of the invention, actuation of the liquid dispenser introduces liquid into the inlet opening, through the support structure to dissolve the substance, and out the outlet opening where it is disposed on the aerosol generator as a solution. The aerosol generator is then operated to aerosolize the solution. In this way, the substance is stored in a solid state until ready for use. As previously described, the flow of liquid from the liquid dispenser is produced during the return stroke of the piston member, i.e. as the piston member travels to the dispensing position. Since the return stroke is controlled by the spring, it is not dependent on the user. In this way, the flow rate is the same each time the liquid dispenser is operated, thereby providing a way to consistently and repeatedly reconstitute the solution.

In one particular aspect, the cartridge includes a coupling mechanism at the inlet opening to couple the cartridge to the liquid dispenser. In this way, the cartridge is configured to be removable from the liquid dispenser so that it may be removed following each use and discarded. In still another aspect, the cartridge is filled with the chemical substance while in a liquid state. The substance is then freeze dried and converted to a solid state while in the cartridge.

#### The Aerosol Generator

In an exemplary embodiment, the aerosol generator that is employed to aerosolize the solution from the cartridge is constructed in a manner similar to that described in U.S. Patent Nos. 5,586,550 and 5,758,637, previously incorporated herein by reference. In brief, the aerosol generator comprises a vibratable member having a front surface, a rear surface, and a plurality of apertures which extend between the two surfaces. The apertures are preferably tapered as described in U.S. Patent No. 5,164,740, previously incorporated herein by reference. In one particular aspect, the vibratable member is preferably hemispherical in shape, with the tapered apertures extending from the concave surface to the convex surface. In use, the solution from the cartridge is supplied to the rear surface of the vibratable member having the large opening. As the vibratable member is vibrated, the apertures emit the solution from the small openings on

the front surface as an aerosolized spray. The user then simply inhales the aerosolized spray to supply the chemical to the patient's lungs.

### Alternative Embodiments

5           The invention further provides exemplary methods and apparatus for aerosolizing a solution. In one exemplary embodiment, an apparatus comprises a cartridge having a first chamber, a second chamber, and a moveable divider between the first and the second chambers. An exit opening is included in the cartridge and is in communication with the second chamber. A liquid is disposed in the first chamber, and a  
10           substance that is in a dry state is in the second chamber. The apparatus further includes a piston that is translatable within the cartridge to transfer the liquid from the first chamber and into the second chamber to form a solution. An aerosol generator is further provided and is disposed near the exit opening to receive the solution from the cartridge and produce an aerosolized solution. In this way, the substance may be maintained in a dry  
15           state as with other embodiments until ready for aerosolization. To form the solution, the piston is moved within the cartridge to force the liquid from the first chamber and into the second chamber. Further translation of the piston forces the recently formed solution from the second chamber and onto the aerosol generator where the solution is aerosolized.

20           In one particular aspect, the divider has a home position where a seal is formed between the divider and the cartridge. In this way, the liquid may be held in the first chamber until the piston is translated. Preferably, the cartridge includes at least one groove that is disposed at least part way between the first and second chambers. In this way, as the piston is moved within the first chamber, the liquid (which is generally incompressible) moves the divider toward the second chamber to allow the liquid to pass  
25           around the divider and into the second chamber. The groove preferably terminates at the second chamber so that when the piston moves the divider into the second chamber, a seal is formed between the cartridge and the divider to force the solution from the second chamber and out the exit opening.

30           In some cases, it may be desirable to draw the solution back into the first chamber to facilitate mixing. This can be accomplished by withdrawing the piston back through the first chamber to create a vacuum in the first chamber. To dispense the solution, the piston is translated back through the first and second chambers as previously described.

In one particular aspect, a filter is disposed across the exit opening to prevent larger particles from exiting the chamber and clogging the aerosol generator. In another aspect, the apparatus includes a motor to translate the piston. In this way, an aerosolized solution may be supplied to the patient simply by actuating the motor.

5

#### BRIEF DESCRIPTION OF THE DRAWINGS

Fig. 1 illustrates a partial cutaway view of an exemplary apparatus having an aerosol generator for aerosolizing liquids according to the invention.

Fig. 2 is a schematic diagram of an inhalation flow sensor for detecting  
10 when a patient begins to inhale from an aerosolizing apparatus according to the invention.

Fig. 3 is a cross-sectional side view of an aerosol generator of the aerosolizing apparatus of Fig. 1.

Fig. 4-9 illustrate cross-sectional side views of a container and a piston pump used in the apparatus of Fig. 1 to deliver a predetermined volume of liquid to the aerosol generator. The views illustrated in Figs. 4-9 show various states of the piston  
15 pump when metering and transferring liquids from the container to the aerosol generator.

Fig. 10 is a schematic view of an aerosolizing system having a removable cartridge holding a substance that is in a solid state according to the invention.

Fig. 11 illustrates the aerosolizing system of Fig. 10 having the cartridge  
20 removed for cleaning of the aerosol generator according to the invention.

Fig. 12 is a cross sectional side view of an alternative apparatus for aerosolizing a solution according to the invention.

Fig. 13 illustrates a dual chamber drug cartridge and an aerosol generator of the apparatus of Fig. 12.

25 Figs. 14-17 illustrate the drug cartridge of Fig. 13 in various states of operation to dispense a solution onto the aerosol generator according to the invention.

Fig. 18 illustrates the apparatus of Fig. 1 with an alternative cartridge to deliver liquids to the aerosol generator according to the invention.

Fig. 19 illustrates the cartridge and aerosol generator of Fig. 18.

30 Fig. 20 is a cross-sectional view of the cartridge of Fig. 19.

Fig. 21 is a more detailed view of the cartridge of Fig. 19.

Fig. 22 is a cross-sectional side view of a dispensing system having a drug cartridge and a piston pump according to the invention.

## DESCRIPTION OF THE SPECIFIC EMBODIMENTS

The invention provides exemplary systems, apparatus and methods for reconstituting a solid substance that is in a dry state with liquid, such as water, to form a solution and for transporting the solution to an aerosol generator for subsequent atomization. In one exemplary embodiment, the system comprises a liquid dispenser, a cartridge containing the substance that is in the dry state, and an aerosol generator. In use, the cartridge is coupled to an outlet of the dispenser. The user then actuates the liquid dispenser so that liquid is dispensed from the dispenser and enters into the cartridge. As the liquid flows through the cartridge, the dry substance is dissolved into the liquid and exits the cartridge as a solution. Preferably, the cartridge is replaced and disposed after each use. In a preferred embodiment, an outlet end of the cartridge is positioned near the aerosol generator so that the solution dispensed on the aerosol generator is readily available for atomization.

In one alternative, a two step process is employed to reconstitute the solution and deliver the solution to the aerosol generator. First, a portion of a unit volume of liquid, such as one-half a unit volume, is supplied to the cartridge when the liquid dispenser is operated. The user then waits a predetermined amount of time, such as about 10 seconds, and again operates the liquid dispenser to deliver sufficient liquid into the cartridge to force a unit volume of solution from the cartridge onto the aerosol generator. In this way, a period of time is provided to allow more of the substance to dissolve in the liquid.

In another aspect of the invention, exemplary systems and methods are provided for metering relatively small volumes of liquid directly from a container and for delivering the metered volume to an atomizer. The systems and methods are configured to precisely meter and deliver relatively small volumes of liquid, typically in the range from about 10  $\mu\text{L}$  to about 100  $\mu\text{L}$ . When delivering volumes in the range from about 10  $\mu\text{L}$  to 50  $\mu\text{L}$ , the invention preferably employs the use of a piston pump that is connected to a canister as described in greater detail hereinafter. For volumes in the range from about 50  $\mu\text{L}$  to about 100  $\mu\text{L}$ , a pharmaceutical pump is preferably employed, such as metered dose S4 pump, commercially available from Somova S. p.A. Milano, Italy. Optionally, such pharmaceutical pumps may also contain a pharmaceutical medicament which may be delivered directly to the aerosol generator. As one example, the pharmaceutical medicament may comprise a suspension of colica steroid for treatment of asthma.

Another feature of the liquid dispensers of the invention is that they are configured to prevent or substantially reduce the possibility of contamination. In this way, each subsequent dosage delivered by the liquid dispenser is not contaminated when delivered to the atomizer. Referring now to Fig. 1, an exemplary apparatus 10 for atomizing a liquid will be described. Apparatus 10 comprises a housing 12 which is configured to hold the various components of apparatus 10. Housing 12 is preferably constructed to be lightweight and pocket-sized, typically being molded of a plastic material. Housing 12 is divided into two separable portions. A first portion 14 includes an electronics compartment and a second portion 16 includes a liquid holding compartment for holding a canister 18, an aerosol generator 22, and a mouthpiece 20 through which the atomized liquids are dispensed to the patient. Conveniently, second portion 16 can be separated from first portion 14 by sliding a knob 23. Optionally, second portion 16 having the liquid holding component may be disposed following separation from first portion 14. Second portion 16 may be disposed along with canister 18, or canister 18 may be disposed separately.

Apparatus 10 further includes an inhalation flow sensor 24 which detects the inhalation flow produced by the patient when inhaling from mouthpiece 22. Upon detection of the inhalation, sensor 24 sends an electrical signal to an electronic circuit (not shown) which in turn sends an alternating voltage to vibrate a piezoelectric member 26 of aerosol generator 22 to aerosolize a liquid. Sensor 24 preferably comprises a flexure foil and an electro-optical sensor. The flexible foil deflects in response to the inhalation airflow produced when a patient inhales from mouthpiece 20. The optical sensor is configured to detect deflection of the flexible foil so that a signal may be produced to vibrate piezoelectric member 26.

Referring now to Fig. 2, a schematic diagram of an inhalation flow sensor 24 will be described. Flow sensor 24 comprises a flexible foil 28 having an extension 30. Inhalation flow sensor 24 further includes an optical sensor 32 which includes a light emitting diode (LED) 34 and a light sensitive transistor 36 placed in apposition to LED 34 so that LED 34 continuously transmits a light beam 38 to transistor 36. When the patient inhales, the inhalation airflow causes flexible foil 28 to deflect and move extension 30 downward until it crosses light beam 38 and causes an optical interruption that is detected by transistor 36. Transistor 36 then sends a signal to trigger activation of an aerosol generator to produce an aerosol.

By configuring inhalation flow sensor 24 in this manner, aerosol generator 22 is actuated only in response to the detection of an inhalation airflow produced by a patient. In this way, the patient may be administered a single dose using either a single inhalation or multiple inhalations. Preferably, inhalation flow sensor 24 is triggered at an inhalation flow rate of at least 15 liters per minute. However, it will be appreciated that sensor 24 may be constructed to trigger at either lower or higher flow rates. Adjustment of the actuation point may be accomplished by altering the flexible stiffness of foil 28, by selecting different materials for constructing foil 28 or by changing the thickness of foil 28.

Alternatively, the inhalation flow sensor may be constructed from a piezoelectric film component. The piezoelectric film component produces an electrical signal when it deflects. The magnitude of the electrical signal is proportional to the magnitude of deflection. In this way, the electrical signal that is produced by the piezoelectric film component can be used to detect the magnitude of the inhalation flow. In this manner, the output of the aerosol generator may be adjusted in proportion to the inhalation airflow. Such a proportional output from the aerosol generator is particularly advantageous in that it prevents the coalescence of particles and controls the aerosol production according to the inhalation flow. Control of the aerosol output may be adjusted by turning the aerosol generator on and off sequentially. The ratio between the on time and the off time, generally defined as the duty cycle, affects the net flow. An exemplary piezoelectric film component with such characteristics is commercially available from ATO Autochem Sensors, Inc., Valley Forge, Pennsylvania.

Referring back to Fig. 1, the electronic circuit (not shown) within first portion 14 includes electrical components to detect the presence of liquid on aerosol generator 22 and to send a signal to the user indicating that all of the liquid has been aerosolized. In this way, the user will know if additional inhalations will be required in order to receive the prescribed amount of medicament. The sensing circuit preferably comprises a voltage sensing circuit (not shown) which detects the voltage across piezoelectric element member 26. Since the voltage across piezoelectric member 26 is proportionally related to the amount of liquid in surface tension contact with an aperture plate 40 (see Fig. 3) of aerosol generator 22, it can be determined, based on the voltage, whether any liquid is left remaining. For example, when aerosolization is initiated, the voltage is high. At the end of aerosolization, the voltage is low, thereby indicating that the aerosolization process is near completion. Preferably, the sensing circuit is



configured to be triggered when about 95% of the liquid has been aerosolized. When triggered, the sensing circuit turns on a light emitting diode (LED) 42 indicating that the prescribed dosage has been delivered.

Referring now to Fig. 3, construction of aerosol generator 22 will be described in greater detail. As previously described, aerosol generator 22 includes a vibratable aperture plate 40 and annular piezoelectric member 26. Aerosol generator 22 further comprises a cup-shaped member 44 to which piezoelectric member 26 and aperture plate 40 are attached as shown. Cup-shaped member 44 includes a circular hole 46 over which aperture plate 40 is disposed. Wires (not shown) connect piezoelectric member 26 to the electrical circuitry within portion 14 (see Fig. 1) which in turn is employed to vibrate piezoelectric member 26.

Cup-shaped member 44 is preferably constructed of a low damping metal, such as aluminum. Aperture plate 40 is disposed over hole 46 such that a rear surface 48 of aperture plate 40 is disposed to receive liquid from canister 18 (see Fig. 1). Although not shown, aperture plate 40 includes a plurality of tapered apertures which taper from rear surface 48 to a front surface 50. Exemplary aperture plates which may be used with the invention include those described in the '740 patent, the '550 patent, and the '637 patent, previously incorporated by reference.

Aperture plate 40 is preferably constructed of a material that may be produced by a metal electroforming process. As an example, aperture plate 40 may be electroformed from palladium or a palladium alloy, such as palladium cobalt or palladium nickel. Aperture plate 40 may further be gold electroplated to enhance its corrosion resistance or may be constructed of solid gold or gold alloys. Alternatively, aperture plate 40 may be constructed of nickel, a nickel-gold alloy, or a combination of nickel and nickel-gold alloy arranged such that the nickel-gold alloy covers the external surfaces of the aperture plate. The nickel-gold alloy may be formed using a gold electroplating process followed by diffusion at an elevated temperature as described generally in Van Den Belt, TGM, "The diffusion of platinum and gold in nickel measured by Rutherford Fact Scattering Spectrometry", Thin Solid Film, 109 (1983), pp. 1-10. The complete disclosure of this reference is incorporated herein by reference. One particular material that may be used to construct the aperture plate comprises about 80% palladium and about 20% nickel, as well as other palladium-nickel alloys as described generally in J.A. Abys, et al., "Annealing Behavior of Palladium-Nickel Alloy Electro Deposits", Plating and Surface Finishing, August 1996, the complete disclosure of which is herein

incorporated by reference. A small amount of manganese may also be introduced to the nickel during the electroforming process so that the nickel can be heat treated at an elevated temperature as described generally in U.S. Patent No. 4,108,740, incorporated herein by reference. The gold-nickel alloy is particularly useful in protecting the nickel components, and particularly the electroformed nickel components, from corrosion caused by plating porosity. The diffusion process may be useful for other applications which require corrosion protection for nickel components, and particularly nickel electroformed components, such as, for example, inkjet aperture plates, other spray nozzle plates, and the like.

As another alternative, corrosion resistance of the aperture plate may be enhanced by constructing the aperture plate of a composite electroformed structure having two layers, with the first electroformed layer comprising nickel and the second electroformed layer comprising gold. The thickness of the gold in the composite is preferably at least two microns, and more preferably, at least five microns. Alternatively, the second layer may be electroformed from palladium or another corrosive-resistant metal. The external surfaces of the aperture plate may also be coated with a material that prevents bacteria growth, such as polymyxin or silver. Optionally, other coatings that enhance wettability may be applied to the aperture plate.

In one embodiment, the aperture plate is protected from corrosive liquids by coating the aperture plate with agents that form a covalent bond with the solid surface via a chemical linking moiety. Such agents are preferred because they are typically biocompatible with acidic pharmaceutical liquids. The agent may be photoreactive, i.e. activated when subjected to light or may be activated when subjected to moisture or to any other means of energy. Further, the agent may have various surface properties, e.g. hydrophobic, hydrophilic, electrically conductive or non-conductive. Still further, more than one agent may be formed on top of each other. Types of coatings that may be included on the aperture plate are described in U.S. Patent Nos. 4,979,959; 4,722,906; 4,826,759; 4,973,493; 5,002,582; 5,073,484; 5,217,492; 5,258,041; 5,263,992; 5,414,075; 5,512,329; 5,714,360; 5,512,474; 5,563,056; 5,637,460; 5,654,460; 5,654,162; 5,707,818; 5,714,551; and 5,744,515. The complete disclosures of all these patents are herein incorporated by reference.

Cup-shaped member 44 is disposed within a housing 52 which prevents liquids from coming into contact with piezoelectric member 26 and with cup-shaped member 44. Cup-shaped member 44 is suspended within housing 52 by two elastic rings

54 and 56. Ring 54 is positioned between housing 52 and the circumference of cup-shaped member 44. Ring 56 is positioned between the inner diameter of piezoelectric member 26 and a shield member 58. Such an arrangement provides a hermetic seal that prevents the contact of liquids with the piezoelectric member 26 without suppressing the vibratory motion of cup-shaped member 44.

Referring back now to Fig. 1, aerosol generator 22 is axially aligned with mouthpiece 20 so that when piezoelectric member 26 is vibrated, liquid droplets are ejected through mouthpiece 20 and are available for inhalation by the patient. As previously described, disposed within second portion 16 is a canister 18 which holds the liquid medicament to be atomized by aerosol generator 22. Canister 18 is integrally attached to a mechanical pump 60 which is configured to dispense a unit volume of liquid through a nozzle 62 to aerosol generator 22. Pump 60 is actuated by pressing a knob 64 which pushes canister 18 downward to generate the pumping action as described in greater detail hereinafter. Pressing on knob 64 also puts pressure on an electrical microswitch 66 within second portion 16. When actuated, microswitch 66 sends a signal to the electrical circuit within first portion 14 causing a light emitting diode (LED) (not shown) to blink indicating that apparatus 10 is ready for use. When the patient begins to inhale, the inhalation is sensed causing actuation of the aerosol generator.

As illustrated in Fig. 3, pump 60 delivers a unit volume of liquid 68 (shown in phantom line) to rear surface 48 of aperture plate 40. The delivered volume 68 adheres to aperture plate 40 by solid/liquid surface interaction and by surface tension forces until patient inhalation is sensed. At that point, piezoelectric member 26 is actuated to eject liquid droplets from front surface 50 where they are inhaled by the patient. By providing the delivered volume 60 in a unit volume amount, a precise dose of liquid medicament may be atomized and delivered to the lungs of the patient. Although canister 18 of Fig. 1 is shown as being configured to directly deliver the dispensed liquid to the aperture plate, pump 60 may alternatively be configured to receive a cartridge containing a chemical in a dry state as described in greater detail hereinafter.

Referring now to Figs. 4-10, a schematic representation of a canister 138 and a piston pump 140 will be described to illustrate an exemplary method for dispensing a unit volume of a liquid medicament to an aperture plate, such as aperture plate 40 of apparatus 10 (see Figs. 1 and 3). Canister 138 comprises a housing 142 having an open end 144 about which a cap 146 is placed. Disposed against open end 144 is a washer 148 which provides a seal to prevent liquids from escaping from housing 142. On top of

washer 148 is a cylindrical member 150. Cap 146 securely holds cylindrical member 150 and washer 148 to housing 142. Cylindrical member 150 includes a cylindrical opening 151 which allows liquids to enter from canister 138. Cylindrical member 150 in combination with washer 148 also serve to securely position a holding member 152 about which a compression spring 154 is disposed.

Piston pump 140 comprises a piston member 156, cylindrical member 150, a valve seat 158 and compression spring 154. Piston member 156 has a frontal end 156A and a distal end 156B, with frontal end 156A providing the piston action and distal end 156B providing the valve action.

Piston pump 140 is configured such that every time valve seat 158 is depressed toward canister 138 and then released, a unit volume of liquid is dispensed through a tapered opening 161 in valve seat 158. Valve seat 158 includes a valve seat shoulder 158A which is pressed to move valve seat inwardly, causing valve seat 158 to engage with distal end 156B to close tapered opening 161.

As shown in Fig. 5, as piston member 156 is further depressed into cylindrical member 150, spring 154 is compressed and a metering chamber 168 begins to form between frontal end 156A and cylindrical member 150. Frontal end 156A and distal end 156B are preferably constructed from a soft elastic material which provides a hermetic seal with cylindrical member 150 and valve seat 158, respectively. Due to the seal between frontal end 156A and cylindrical member 150, a vacuum is created within metering chamber 168 upon depression of piston member 156.

As piston member 156 is further moved into cylindrical member 150 (see Fig. 6), spring 154 is further compressed and frontal end 156A moves past cylindrical opening 151 so that a gap is provided between frontal end 156A and cylindrical member 150. As frontal end 156A passes the edge of cylindrical member 150, liquid from canister 138 is drawn into cylindrical member 150 by the vacuum that was created within metering chamber 168. In Fig. 6, piston member 156 is in the filling position.

At the end of inward travel, the user releases the pressure on valve seat 158, allowing spring 154 to push piston member 156 back toward its starting position. As illustrated in Fig. 7, upon the return travel of piston member 156 to the starting position, frontal end 156A again engages cylindrical member 150 and forms a seal between the two surfaces to prevent any liquid within metering chamber 168 from flowing back into canister 138.

Since the liquid within metering chamber 168 is generally incompressible, as spring 154 pushes on piston member 156, the liquid within metering chamber 168 forces valve seat 158 to slide distally over piston member 156. In so doing, the liquid within metering chamber 168 is allowed to escape from the metering chamber through tapered opening 161 of valve seat 158 as illustrated in Fig. 8.

As illustrated in Figs. 7-9, liquid from metering chamber 168 is dispensed from tapered opening 161 as frontal end 156A travels length L. As frontal end 156A passes through length L, it is in contact with cylindrical member 150. In this way, the liquid within metering chamber 168 is forced out of tapered opening 161 during this length of travel. After passing through Length L, frontal end 156A passes out of sealing relationship with cylindrical member 150 so that no further liquid is dispensed from tapered opening 161. Hence, the amount of liquid dispensed is proportional to the diameter of cylindrical member 150 over length L. As such, piston pump 140 may be designed to dispense a known volume of liquid each time piston member 156 travels from the starting position to the filling position and then back to the starting position. Since piston member 156 must be fully depressed to the filling position in order to create a gap between frontal end 156A and cylindrical member 150, a way is provided to ensure that partial volumes can not be dispensed.

As shown in Fig. 9, valve seat 158 includes a shoulder 170 which engages a stop 172 on cylindrical member 150 to stop distal movement of valve seat 158 relative to cylindrical member 150. At this point, piston pump 140 is at an ending dispensing position which corresponds to the starting position as initially illustrated in Fig. 4. In this position, spring 154 forces distal end 156B of piston member 156 into tapered opening 161 to provide a seal and prevent contaminants from entering into piston 140.

Valve seat 158 is preferably coated with a material that inhibits proliferation of bacteria. Such coatings can include, for example, coatings having a positive electric charge, such as polymyxin, polyethylinimin, silver, or the like.

The invention further provides a convenient way to store chemical substances in the solid or dry state and then to dissolve the chemical substance with liquid from the canister to form a solution. In this way, chemical substances that are otherwise susceptible to degradation can be stored in the dry state so that the shelf life of the product is extended. An exemplary embodiment of a cartridge 180 for storing such chemical substances that are in the dry state is illustrated in Fig. 10. For convenience of illustration, cartridge 180 will be described in connection with piston pump 140 and

canister 138, which in turn may be coupled to an aerosolization apparatus, such as apparatus 10, to aerosolize a medicament as previously described. Cartridge 180 comprises a cylindrical container 182 having an inlet opening 184 and outlet opening 186. Inlet opening 182 is sized to be coupled to piston pump 140 as shown. Disposed within container 182 is a first filter 188 and a second filter 190. Filter 188 is disposed near inlet opening 184 and second filter 190 is disposed near outlet opening 186. A chemical substance 192 which is in a dry state is disposed between filters 188 and 190. Chemical substance 192 is preferably held within a support structure to increase the rate in which the chemical substance is dissolved.

The support structure may be constructed of a variety of materials which are provided to increase the rate in which the chemical substance is dissolved. For example, the support structure may comprise an open cell material such as a polytetrafluoroethylene (PTFE) matrix material commercially available from Porex Technologies, Farburn, Georgia. Preferably, such an open cell material has a pore size in the range from about 7  $\mu\text{m}$  to about 500  $\mu\text{m}$ , and more preferably about 250  $\mu\text{m}$ . Alternatively, various other plastic materials may be used to construct the open cell matrix, including olyethylene (HDPE), ultra-high molecular weight polyethylene (UHMW), polypropylene (PP), polyvinylidene fluoride (PVDF), nylon 6 (N6), polyethersulfone (PES), ethyl vinyl acetate (EVA), and the like. Alternatively, the support structure may be constructed of a woven synthetic material, a metal screen, a stack of solid glass or plastic beads, and the like.

An exemplary method for placing chemical substance 192 into container 182 is by filling container 182 with the chemical substance while the chemical substance is in a liquid state and then lyophilizing the substance to a dry state while the substance within the cartridge. In this way, filling of cartridge 180 with a chemical substance may be precisely and repeatedly controlled. However, it will be appreciated that the chemical substance may be placed into cartridge 180 when in the solid state.

Lyophilization is one exemplary process because it will tend to reduce the rate of various physical and chemical degradation pathways. If the substance comprises a protein or peptide, both the lyophilization cycle (and resulting moisture content) and product formulation can be optimized during product development to stabilize the protein before freezing, drying and for long term storage. See Freeze Drying of Proteins, M.J. Pikal, BioPharm. 3, 18-26 (1990); Moisture Induced Aggregation of Lyophilized Proteins in the Solid State, W.R. Liu, R. Langer, A.M. Klivanov, Biotech. Bioeng. 37, 177-184

(1991); Freeze Drying of Proteins. II, M.J. Pikal, BioPharm. 3, 26-30 (1990); Dehydration Induced Conformational Transitions in Proteins and Their Inhibition by Stabilizers, S.J. Prestrelski, N. Tedeschi, S. Arakawa, and J.F. Carpenter, Biophys. J. 65, 661-671 (1993); and Separation of Freezing and Drying Induced Denaturation of Lyophilized Proteins Using Stress-Specific Stabilization, J.F. Carpenter, S.J. Prestrelski, and T. Arakawa, Arch. Biochem. Biophys. 303, 456-464 (1993), the complete disclosures of which are herein incorporated by reference. Adjustment of the formulation pH and/or addition of a wide variety of additives including sugars, polysaccharides, polyols, amino-acids, methylamines, certain salts, as well as other additives, have been shown to stabilize protein towards lyophilization.

As an example, which is not meant to be limiting, a cartridge was packed with small glass beads having a diameter of approximately 0.5 mm. The cartridge was filed with a solution of lysozyme at a concentration of 10 mg/ml. To enhance its stability, the solution was combined with a form of sugar and with a buffer solution. The buffer solution was sodium citrate, and the sugar was mannitol. A twin 20 surfactant was also added to the solution. The solution was then lyophilized in the cartridge.

The lyophilized substance may optionally contain a solubility enhancer, such as a surfactant as described in Journal of Pharmaceutical Science Technology which is J. Pharm. Sci. Technol., 48; 30-37 (1994) the disclosure of which is herein incorporated by reference. To assist in protecting the chemical substance from destructive reactions while in the dry state, various sugars may be added as described in Crowe, et al., "Stabilization of Dry Phospholipid Bilayer and Proteins by Sugars", Biochem. J. 242: 1-10 (1987), and Carpenter, et al. "Stabilization of Phosphofructokinase with Sugars During Freeze-Drying", Biochimica et Biophysica Acta 923: 109-115 (1987), the disclosures of which are herein incorporated by reference.

In use, cartridge 180 is coupled to piston pump 140 and piston pump 140 is operated as previously described to dispense a known volume of liquid into cartridge 180. The supplied liquid flows through chemical substance 192 and chemical substance 192 dissolves into the liquid and flows out of outlet opening 186 as a liquid solution 194. Outlet opening 186 is spaced apart from an aperture plate 196 of an aerosol generator 198 so that liquid solution 198 will be deposited on aperture plate 196 as shown. Aerosol generator 198 further includes a cup shaped member 200 and a piezoelectric member 202 and operates in a manner similar to the aerosol generator 22 as previously described.

Hence, when aerosol generator 198 is operated, liquid solution 194 is ejected from aperture plate 196 in droplet form as shown.

One important feature of the invention is that cartridge 180 is removable from piston pump 140 so that cartridge 180 may be discarded following each use. As illustrated in Fig. 11, after cartridge 180 has been removed, the user may optionally actuate piston pump 140 to again deliver a volume of liquid 204 directly to aperture plate 96. Aerosol generator 198 is then operated so that, similar to an ultrasonic cleaner, the vibratory action removes any residual solution from aperture plate 196. Liquids that may be held within canister 138 to form the solution and to clean aperture plate 196 include sterile water, a mixture of water with ethanol or other disinfectant, and the like.

In summary, the invention provides a portable aerosolizing apparatus that is able to store a chemical substance in the dry state, and to reconstitute the chemical substance with liquid to form a solution just prior to administration. The invention further provides techniques for aerosolizing the solution and for cleaning the aerosol generator. Also, it will be appreciated that the aerosolization apparatus as described herein may be used to aerosolize a liquid medicament that is not stored within a cartridge so that the liquid medicament is passed directly from the piston pump and on to the aperture plate for aerosolization.

Apparatus 10 may optionally be configured to warn the user when cleaning is needed. Such a feature is best accomplished by providing a processor within second portion 14 which is programmed to include an expected amount of time required to aerosolize a dose received from canister 18. If the expected amount of time exceeded before the entire dose is aerosolized, it may be assumed that the apertures in the aperture plate are clogged, thereby requiring cleaning to clear the apertures. In such an event, the processor sends a signal to an LED on apparatus 10 indicating that cleaning is needed.

To determine whether all of the liquid has been aerosolized in the expected time period, the processor records the amount of time that the aerosol generator is actuated. When the aerosol generator has been actuated for the expected time, the voltage sensing circuit is actuated to detect whether any liquid remains on the aperture plate as previously described.

Referring now to Fig. 12, an alternative embodiment of an apparatus 300 for atomizing a liquid solution will be described. Apparatus 300 includes a housing 302 that is divided into two separable portions similar to the embodiment of Fig. 1. A first portion 304 includes various electronics and a second portion 306 includes a liquid



holding compartment. An aerosol generator 308 which is similar to aerosol generator 22 of Fig. 1 is disposed in second portion 306 to aerosolize a solution where it will be available for inhalation through a mouthpiece 310. Conveniently, aerosol generator 308 includes a lip 312 to catch the solution and maintain it in contact with the aerosol generator 308 until aerosolized. Disposed above aerosol generator 308 is a drug cartridge 314. As will be described in greater detail hereinafter, cartridge 314 is employed to produce a solution which is delivered to aerosol generator 308 for aerosolization.

Coupled to cartridge 314 is a lead screw 316. In turn, lead screw 316 is coupled to a micro-coreless DC motor 318. When motor 318 is actuated, it causes a shaft 320 to rotate. This rotational motion is converted to linear motion by lead screw 316 to translate a piston 322 within cartridge 314 as described in greater detail hereinafter. Motor 318 is actuated by appropriate electronics held in first portion 304. Further, a power source, such as a battery, is also held within first portion 304 to supply power to motor 318. Aerosol generator 38 is operated in a manner essentially identical to that previously described in connection with the apparatus of Fig. 1.

Referring now to Fig. 13, construction of cartridge 314 will be described in greater detail. Piston 322 includes a docking knob 324 which mates with a connector 326 of lead screw 316. Docking knob 324 and connector 326 are configured to facilitate easy coupling and uncoupling. Typically, motor 318 and lead screw 316 are securely coupled to housing 308 (see Fig. 12), while cartridge 314 is configured to be removable from housing 302. In this way, each time a new drug cartridge is required, it may be easily inserted into apparatus 300 and coupled with lead screw 316.

Lead screw 316 is configured such that when motor 318 causes shaft 320 to rotate in a clockwise direction, lead screw 316 is moved downward. Alternatively, when motor 318 is reversed, lead screw 316 is moved upward. In this way, piston 322 may be translated back and forth within cartridge 314. Motor 318 is preferably calibrated such that piston 322 can be moved to selected positions within cartridge 314 as described in greater detail hereinafter.

Cartridge 314 includes a first chamber 328 and a second chamber 330. Although not shown for convenience of illustration, first chamber 328 is filled with a liquid and second chamber 330 includes a substance that is in a dry state. Such a substance preferably comprises a lyophilized drug, although other substances may be employed similar to the embodiment of Fig. 1. Separating first chamber 328 and second chamber 330 is a divider 332. As shown in Fig. 13, divider 332 is in a home position

which forms a seal between divider 332 and cartridge 314 so that the liquid is maintained within first chamber 328 until divider 332 is moved from its home position as described hereinafter.

Cartridge 314 includes an exit opening 333 which is disposed in close proximity to aerosol generator 308. Once the solution is formed within cartridge 314, it is dispensed through exit opening 333 and on to aerosol generator 308 where it will be aerosolized for delivery to the patient. Disposed across exit opening 333 is a filter 334 which serves to prevent larger drug particles from being flushed out onto aerosol generator 308, thus causing potential clogging of the apertures within aerosol generator 308.

Referring now to Figs. 14-17, operation of cartridge 314 to produce a solution which is delivered to aerosol generator 308 will be described. Cartridge 314 is constructed in a manner similar to the drug cartridge described in U.S. Patent No. 4,226,236, the complete disclosure of which is herein incorporated by reference. As shown in Fig. 14, cartridge 314 is in the home position where divider 332 maintains the liquid within first chamber 328. When in the home position, cartridge 314 may be inserted into apparatus 300 and coupled to lead screw 316 (see Fig. 13). When ready to deliver an aerosolized solution to a patient, motor 318 (see Fig. 13) is actuated to cause lead screw 316 to translate piston 322 within cartridge 314 as illustrated in Fig. 15. As piston 322 is translated within cartridge 314, it begins to move through first chamber 328. Since the liquid is generally incompressible, the liquid will force divider 332 to move in the direction of second chamber 330. Formed in the walls of cartridge 314 are one or more grooves 336 which are placed in communication with first chamber 328 as divider 332 moves away from its home position. As such, the liquid within first chamber 328 is forced into chamber 330 as illustrated by the arrows. Once the liquid is able to flow around divider 332, the pressure acting against it is relieved so that it remains in the position generally shown in Fig. 15. As the liquid enters into second chamber 330, the lyophilized drug is dissolved into the liquid to form a solution.

As illustrated in Fig. 16, piston 322 is translated until it engages divider 332. At this point, all of the liquid has been transferred from first chamber 328 into second chamber 330. At this point, it may optionally be desired to mix the solution that has just been formed within second chamber 330. This may be accomplished by translating piston 322 backward toward the position illustrated in Fig. 15. In so doing, a vacuum is created within first chamber 328 to draw the solution from second chamber

330 into first chamber 328. As the solution flows through grooves 336, the solution is agitated, causing mixing. Piston 322 may then be translated back to the position shown in Fig. 16 to move the liquid back into second chamber 330. This process may be repeated as many times as needed until sufficient mixing has occurred.

After proper mixing, the solution is ready to be dispensed onto the aerosol generator. To do so, piston 332 is moved through second chamber 330 as illustrated in Fig. 17. In turn, divider 332 is pushed against filter 334 to completely close second chamber 330 and force all of the liquid out exit opening 333.

One particular advantage of cartridge 314 is that a precise volume of drug is dispensed onto aerosol generator 308 to ensure that the patient will receive the proper dosage. Further, by maintaining the drug in the dry state, the shelf life may be increased as previously described.

Following dispensing of the solution, cartridge 314 may be removed and replaced with another replacement drug cartridge. Optionally, a cleaning cartridge may be inserted into apparatus 300 which includes a cleaning solution. This cleaning solution is dispensed onto aerosol generator 308 upon operation of motor 318. Aerosol generator 308 may then be operated to clean its apertures using the cleaning solution.

Referring now to Fig. 18, an alternative apparatus 400 for atomizing a liquid will be described. Apparatus 400 is essentially identical to apparatus 10 except that canister 18 has been replaced with a continuous feed cartridge 402. Cartridge 402 is configured to continuously feed liquid to aerosol generator 22 on demand so that enough liquid will always be available each time aerosol generator 22 is actuated. Cartridge 402 also ensures that excessive liquid will not be supplied, i.e. it will supply only as much liquid as is atomized. Cartridge 402 is constructed similar to the cartridges described in co-pending U.S. Patent Application Serial No. 08/471,311, filed April 5, 1995, the complete disclosure of which is herein incorporated by reference.

As illustrated in Figs. 19-21, cartridge 402 comprises a liquid reservoir 404 and a face 406 which is adjacent the aperture plate of aerosol generator 22 to supply liquid from liquid reservoir 404 to the aperture plate. A capillary pathway 408 extends between reservoir 404 and face 406 to supply liquid to face 406 by capillary action. In order to overcome the vacuum that is produced in reservoir 404, a venting channel 410 is in communication with pathway 408. In this way, air is able to enter into reservoir 404 to reduce the vacuum and allow additional liquid to be transferred from reservoir 404.

In another embodiment, a drug cartridge may be coupled to a piston pump to form a dispensing system that is used to supply a formulation to an aerosol generator. For example, as shown in Fig. 22 a dispensing system 430 comprises a cartridge 432 and a piston pump 434. Cartridge 432 is patterned after cartridge 314 of Fig. 14 and includes a first chamber 436 and a second chamber 438. Disposed in chamber 436 is a liquid (not shown) and disposed in second chamber 438 is a dried substance 440. A divider 442 separates the chambers. In use, a plunger 444 is moved through chamber 436 to force divider 442 forward and to allow the liquid to enter chamber 438 and form a solution.

Piston pump 434 may be constructed similar to pump 138 of Fig. 4. Pump 434 is operated to dispense a volume of the solution from chamber 438. Pump 434 may be disposed near an aerosol generator so that a volume of the solution will be available for atomization. In this way, known volumes of a solution that was formed from a direct substance may be provided in an easy and convenient manner.

The invention has now been described in detail, however, it will be appreciated that certain changes and modifications may be made. For example, although illustrated in the context of delivering liquid to an aperture plate, the apparatus and methods may be employed to deliver known quantities of liquid to other types of atomization devices. Therefore, the scope and content of this invention are not limited by the foregoing description. Rather the scope and content are to be defined by the following claims.

## WHAT IS CLAIMED IS:

1. A method for aerosolizing a substance, the method comprising:  
supplying a liquid to a cartridge having a substance which is in a dry state,  
wherein the substance is dissolved into the liquid to form a solution;  
transferring the solution from the cartridge and onto an atomization  
member; and  
operating the atomization member to aerosolize the solution.
2. A method as in claim 1, further comprising introducing the substance  
into the cartridge while in a liquid state, and further comprising lyophilizing the substance  
to place the substance in the dry state.
3. A method as in claim 1, further comprising supplying the liquid from a  
liquid dispenser that is coupled to the cartridge.
4. A method as in claim 3, wherein the substance is disposed in a support  
structure, and further comprising forcing the liquid through the support structure with the  
dispenser to transfer to solution to the atomization member.
5. A method as in claim 1, further comprising vibrating the atomization  
member to aerosolize the solution.
6. A method as in claim 3, further comprising removing the cartridge from  
the liquid dispenser following dispensing and discarding the cartridge.
7. A method as in claim 6, further comprising dispensing additional liquid  
from the dispenser onto the atomization member following removal of the cartridge, and  
operating the atomization member to clean the atomization member.
8. An aerosolizing system, comprising:  
a liquid dispenser which is adapted to deliver a volume of liquid upon  
operation of the liquid dispenser;  
a cartridge to receive liquid from the liquid dispenser, the cartridge  
comprising a housing having a substance which is in a dry state, wherein receipt of the  
volume of liquid from the liquid dispenser dissolves the substance to form a solution; and

an aerosol generator disposed near the cartridge and which is adapted to receive the solution from the cartridge.

9. A system as in claim 8, wherein the housing includes a support structure and wherein the substance is disposed in the support structure.

10. A system as in claim 9, wherein the support structure comprises an open cell porous material.

11. A system as in claim 9, wherein the cartridge has an inlet opening and an outlet opening, and further comprising a coupling mechanism at the inlet opening to couple the cartridge to the liquid dispenser.

12. A system as in claim 11, wherein the cartridge further includes a filter near the inlet opening and a filter near the outlet opening, and wherein the support structure is disposed between the filters.

13. A method for aerosolizing a substance, the method comprising:  
transferring a liquid from a first chamber into a second chamber having a substance in a dry state to form a solution;

transferring the solution from the second chamber onto an atomization member; and

operating the atomization member to aerosolize the solution.

14. A method as in claim 13, wherein the first and the second chambers are disposed in a cartridge, and further comprising moving a piston through the first chamber to transfer the liquid to the second chamber.

15. A method as in claim 14, further comprising positioning a divider between the first and the second chamber at a home position to hold the liquid in the first chamber.

16. A method as in claim 15, wherein the cartridge includes at least one groove disposed at least part way between the first and second chambers, and further comprising moving the piston toward the divider to move the divider away from the home position and to allow the liquid in the first chamber to pass around the divider, through the groove and into the second chamber.

17. A method as in claim 16, wherein the groove terminates at the second chamber, and further comprising moving the piston against the divider and into the second chamber to force the solution from the second chamber and out the exit opening.

18. A method as in claim 16, further comprising withdrawing the piston from the first chamber to draw the solution from the second chamber and into the first chamber, and then moving the piston through the first chamber and into the second chamber to force the solution out the exit opening.

19. A method as in claim 13 further comprising vibrating the atomization member to aerosolize the solution.

20. A method as in claim 14, wherein the cartridge is held in a housing of an inhaler, and further comprising removing the cartridge from the housing following dispensing and discarding the cartridge.

21. A method as in claim 20, further comprising introducing a cleaning cartridge into the housing and dispensing a cleaning solution from the cleaning cartridge onto the atomization member, and operating the atomization member to clean the atomization member.

22. An aerosolizing apparatus, comprising:

a cartridge having a first chamber, a second chamber, a movable divider between the first and the second chambers, and an exit opening in communication with the second chamber, wherein a liquid is disposed in the first chamber and a substance that is in a dry state is in the second chamber;

a piston translatable within the cartridge to transfer the liquid from the first chamber and into the second chamber to form a solution; and

an aerosol generator disposed near the exit opening to receive the solution from the cartridge and produce an aerosolized solution.

23. An apparatus as in claim 22, wherein the divider has a home position where a seal is formed between the divider and the cartridge to hold the liquid in the first chamber.

24. An apparatus as in claim 23, wherein the cartridge includes at least one groove disposed at least part way between the first and second chambers to allow the liquid in the first chamber to pass around the divider and into the second chamber when the divider is moved away from the home position and toward the second chamber.

25. An apparatus as in claim 24, wherein the groove terminates at the second chamber so that when the piston moves the divider into the second chamber, a seal is formed between the cartridge and the divider to force the solution from the second chamber and out the exit opening.

26. An apparatus as in claim 22, further comprising a filter disposed across the exit opening.

27. An apparatus as in claim 22, further comprising a motor to translate the piston.

28. An apparatus as in claim 27, wherein the cartridge is cylindrical in geometry.

29. An apparatus as in claim 22, wherein the substance is selected from the group of substances consisting of proteins, peptides, small molecule chemical entities, genetic materials, macromolecules and small molecules.

30. An apparatus as in claim 22, wherein the cartridge and the aerosol generator as disposed in a housing.

31. An apparatus as in claim 22, wherein the aerosol generator includes a plate having a plurality of tapered apertures, and wherein the plate is constructed from materials selected from a group consisting of palladium-nickel alloys and gold.



# IMPROVED METHODS AND APPARATUS FOR STORING CHEMICAL COMPOUNDS IN A PORTABLE INHALER

## ABSTRACT OF THE DISCLOSURE

The invention provides exemplary aerosolization apparatus and methods for aerosolizing a substance. According to one exemplary method, a liquid is transferred from a first chamber into a second chamber having a substance that is in a dry state to form a solution. The solution is then transferred from the second chamber and onto an atomization member. The atomization member is operated to aerosolize the solution.

DE 103314 v1

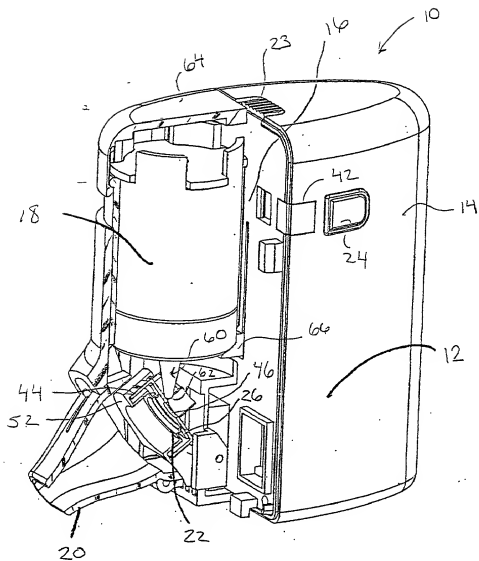


FIG. 1

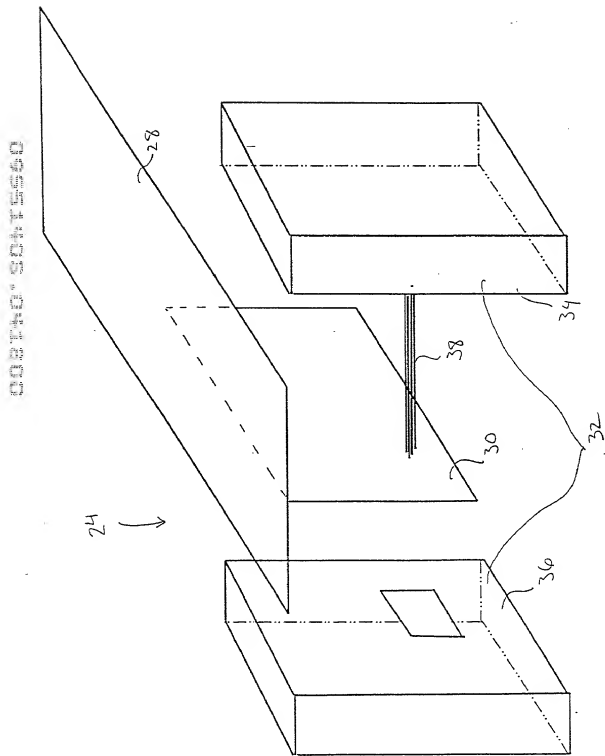


FIG. 2

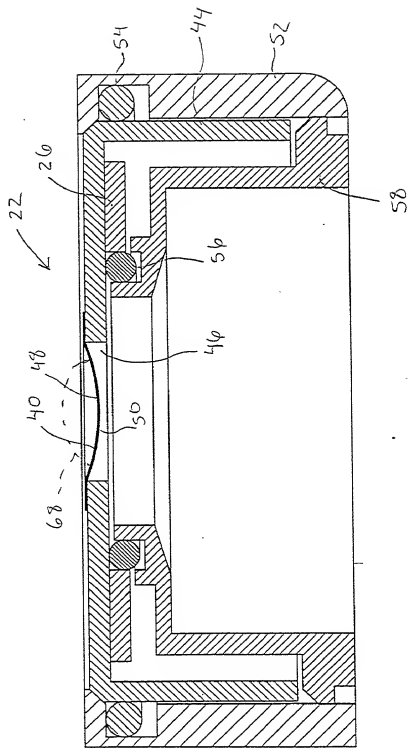


FIG. 3

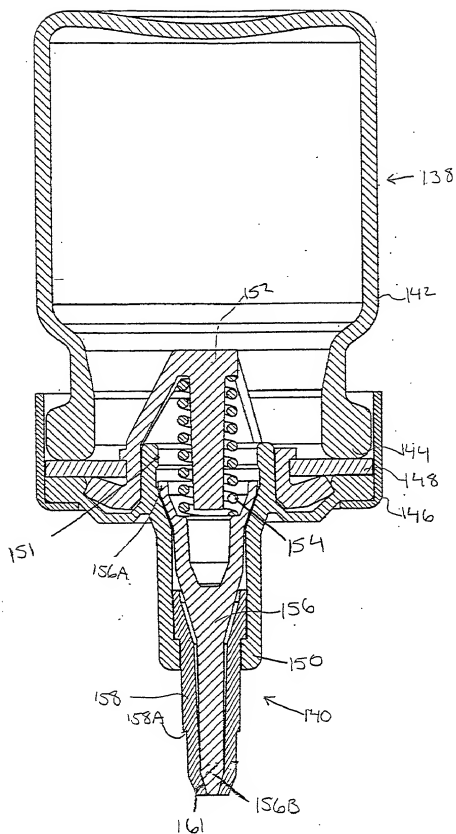


FIG. 4

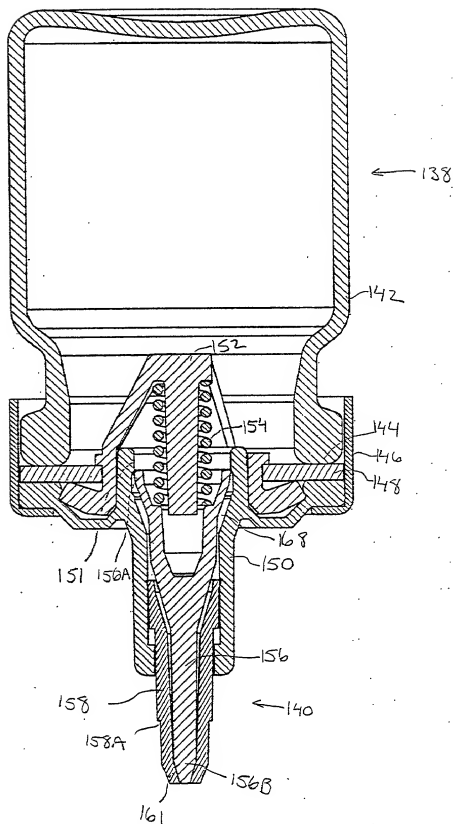


FIG. 5



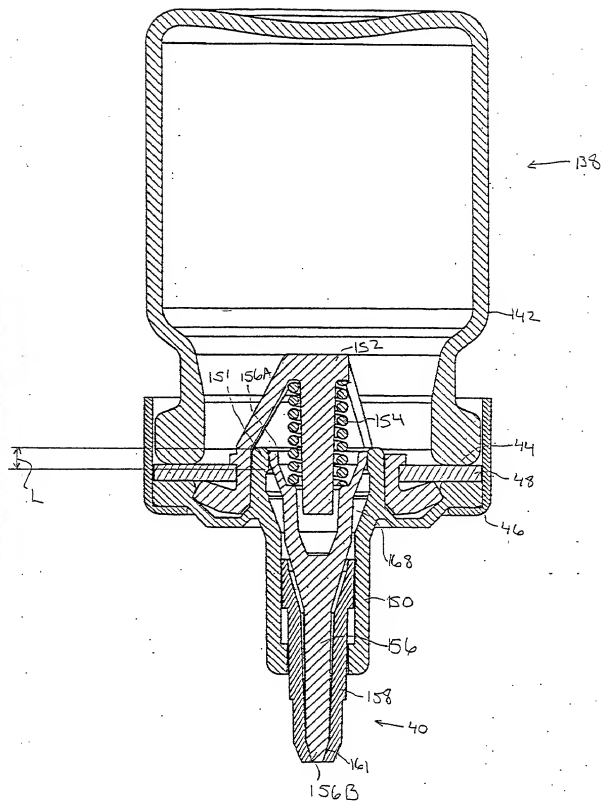
[illegible]

FIG. 7



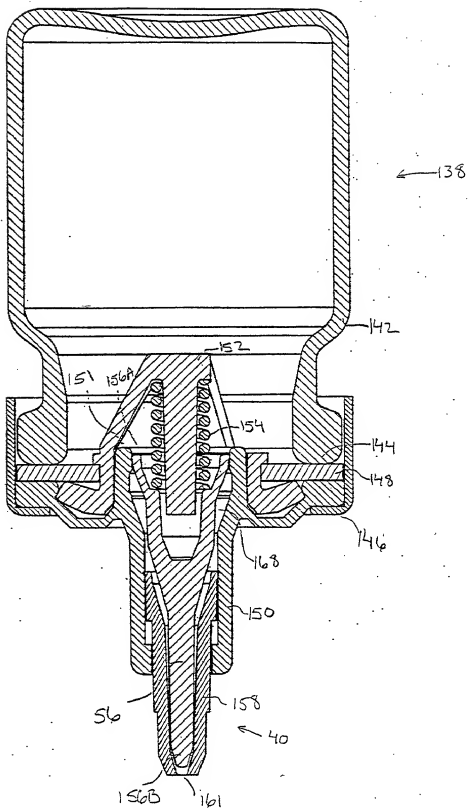


FIG. 8

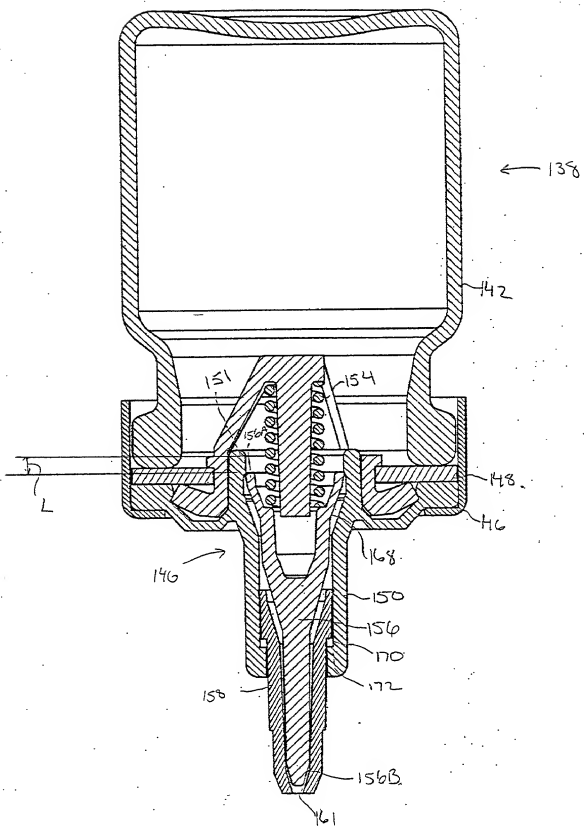


FIG. 9

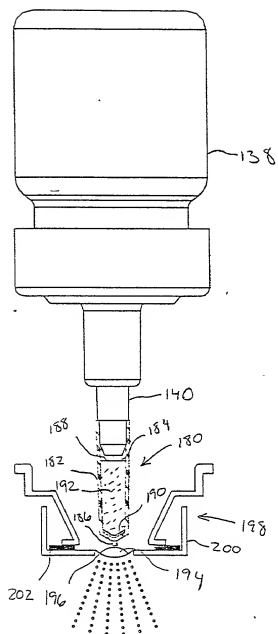


FIG. 10



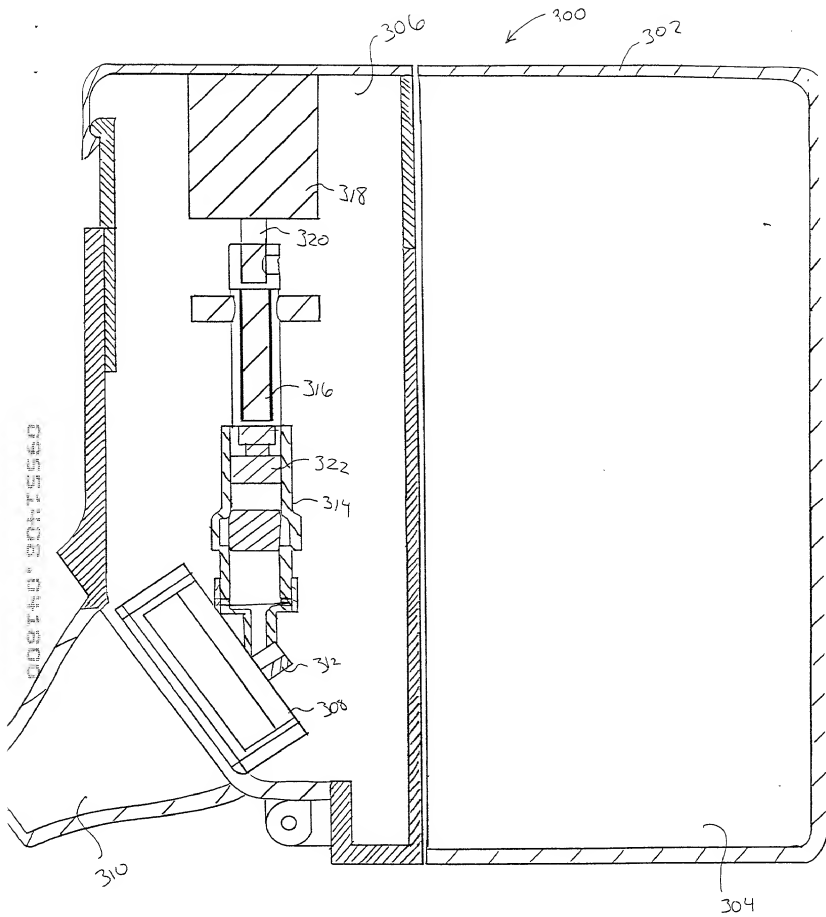


FIG. 12

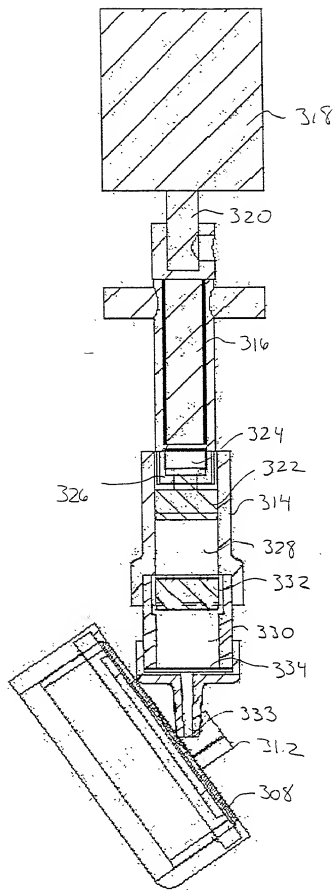


FIG. 13

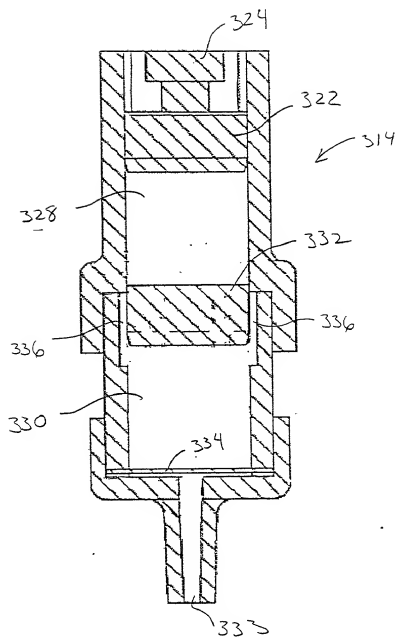


FIG. 14

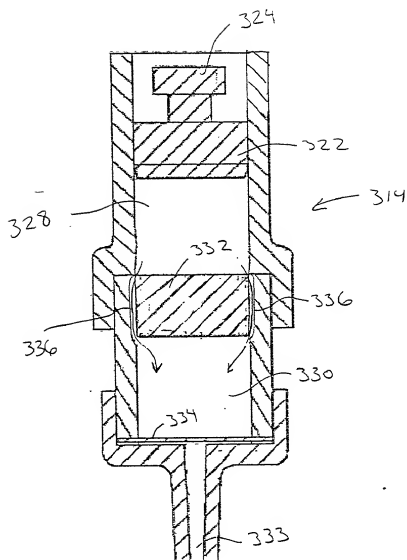


FIG. 15



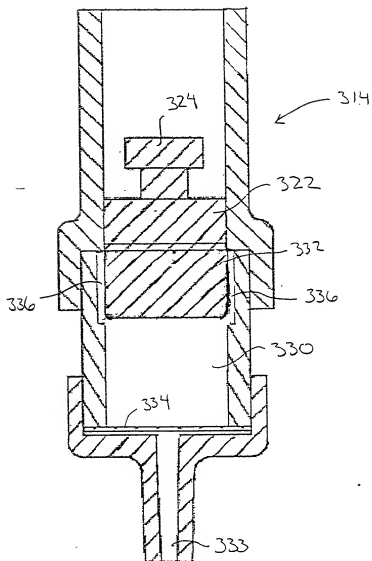


FIG. 16

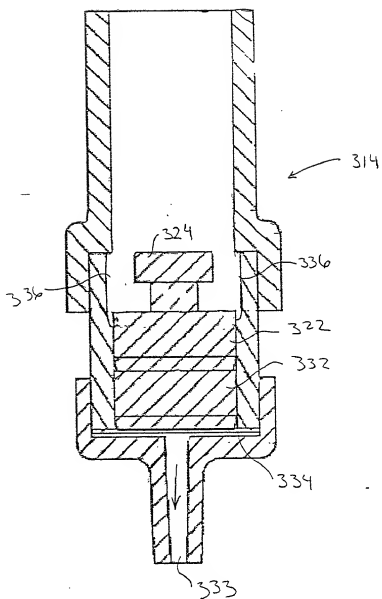


FIG. 17

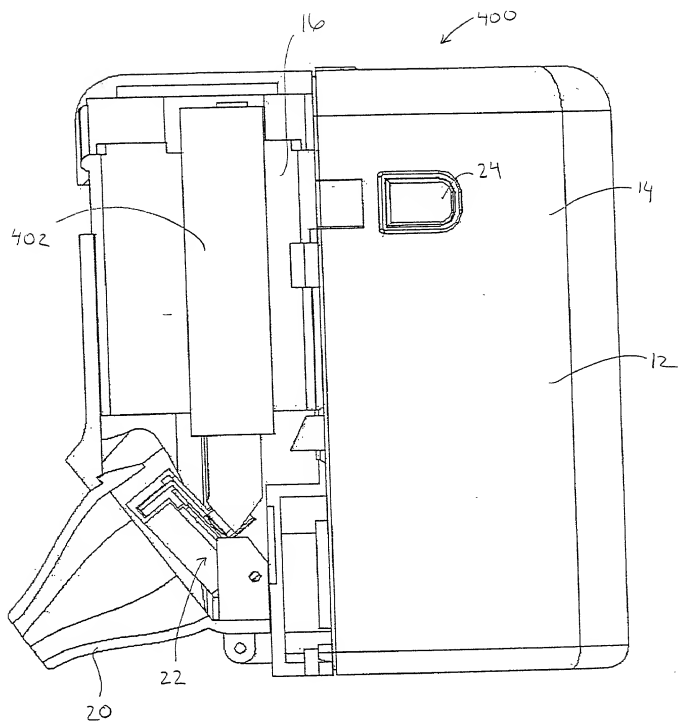


FIG. 18

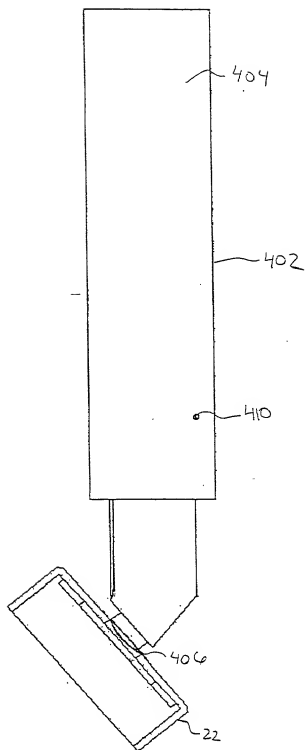


FIG. 19

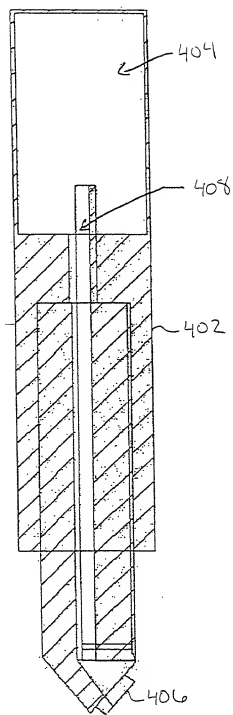


FIG. 20

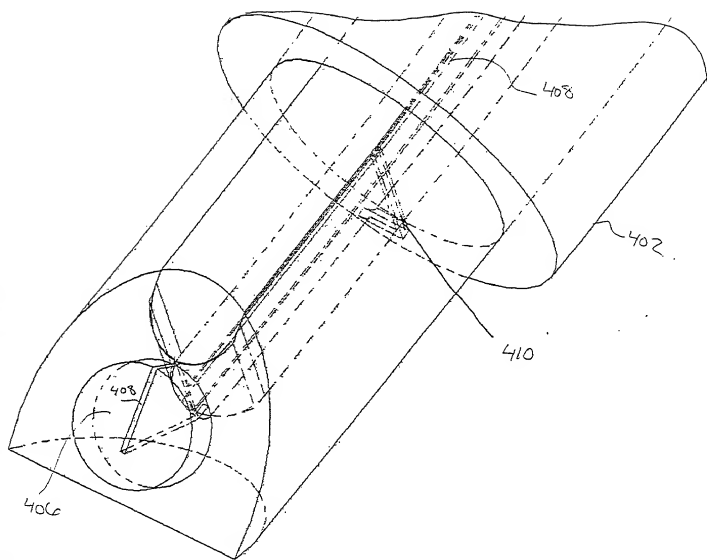


FIG. 21

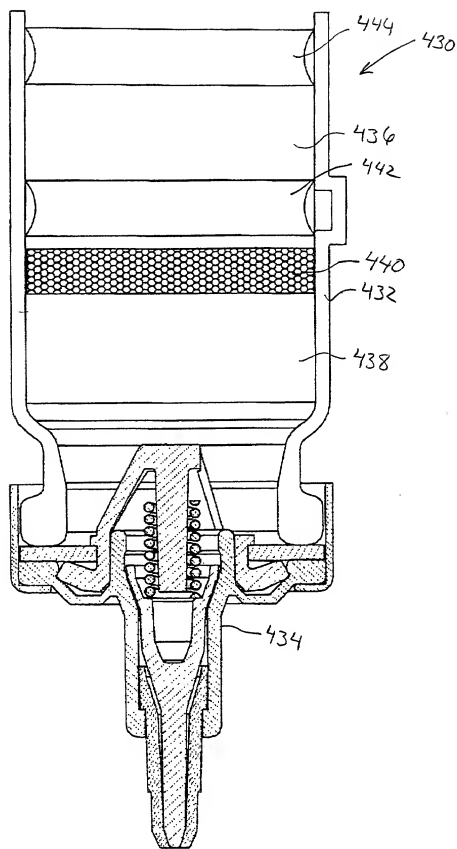


FIG. 22

## DECLARATION

COPY

As a below named inventor, I declare that:

My residence, post office address and citizenship are as stated below next to my name; I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: **METHODS AND APPARATUS FOR STORING CHEMICAL COMPOUNDS IN A PORTABLE INHALER** the specification of which      is attached hereto or X was filed on May 18, 1999 as Application No. 09/313,914 and was amended on                      (if applicable).

I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56. I claim foreign priority benefits under Title 35, United States Code, Section 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

## Prior Foreign Application(s)

Country	Application No.	Date of Filing	Priority Claimed Under 35 USC 119

I hereby claim the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below:

Application No.	Filing Date

I claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

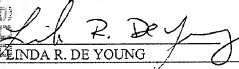
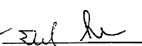
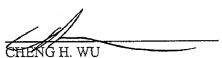

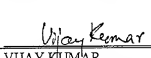

Application No.	Date of Filing	Status
09/095,737	06/11/98	Pending
09/149,426	09/08/98	Pending

Full Name of Inventor 1:	Last Name: <b>IVRI</b>	First Name: <b>YEHUDA</b>	Middle Name or Initial:	
Residence & Citizenship:	City: <b>Irvine</b>	State/Foreign Country: <b>California</b>	Country of Citizenship: <b>United States</b>	
Post Office Address:	Post Office Address: <b>38 Silkberry</b>	City: <b>Irvine</b>	State/Country: <b>California</b>	Postal Code: <b>92614</b>
Full Name of Inventor 2:	Last Name: <b>DE YOUNG</b>	First Name: <b>LINDA</b>	Middle Name or Initial: <b>R.</b>	
Residence & Citizenship:	City: <b>El Granada</b>	State/Foreign Country: <b>California</b>	Country of Citizenship: <b>United States</b>	
Post Office Address:	Post Office Address: <b>310 Shelter Cove Drive</b>	City: <b>El Granada</b>	State/Country: <b>California</b>	Postal Code: <b>94018</b>



Full Name of Inventor 3:	Last Name: <b>WU</b>	First Name: <b>CHENG</b>	Middle Name or Initial: <b>H.</b>	
Residence & Citizenship:	City: <b>Sunnyvale</b>	State/Foreign Country: <b>California</b>	Country of Citizenship: <b>Taiwan</b>	
Post Office Address:	Post Office Address: <b>362 Pescadero Terrace</b>	City: <b>Sunnyvale</b>	State/Country: <b>California</b>	Postal Code: <b>94086</b>
Full Name of Inventor 4:	Last Name: <b>CATER</b>	First Name: <b>MIRO</b>	Middle Name or Initial: <b>S.</b>	
Residence & Citizenship:	City: <b>Daytona Beach</b>	State/Foreign Country: <b>Florida</b>	Country of Citizenship: <b>United States</b>	
Post Office Address:	Post Office Address: <b>1777 Mitchell Court</b>	City: <b>Daytona Beach</b>	State/Country: <b>Florida</b>	Postal Code: <b>32124-6760</b>
Full Name of Inventor 5:	Last Name: <b>KUMAR</b>	First Name: <b>VIJAY</b>	Middle Name or Initial:	
Residence & Citizenship:	City: <b>Sunnyvale</b>	State/Foreign Country: <b>California</b>	Country of Citizenship: <b>United States</b>	
Post Office Address:	Post Office Address: <b>228 Leota Avenue</b>	City: <b>Sunnyvale</b>	State/Country: <b>California</b>	Postal Code: <b>94086</b>
Full Name of Inventor 6:	Last Name: <b>FLIERL</b>	First Name: <b>MARKUS</b>	Middle Name or Initial:	
Residence & Citizenship:	City: <b>Sunnyvale</b>	State/Foreign Country: <b>California</b>	Country of Citizenship: <b>Germany</b>	
Post Office Address:	Post Office Address: <b>1273 Ayala Drive</b>	City: <b>Sunnyvale</b>	State/Country: <b>California</b>	Postal Code: <b>94086</b>

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Signature of Inventor 1  LINDA R. DE YOUNG	Signature of Inventor 2  YEHUDA IVRI	Signature of Inventor 3  CHENG H. WU
Date <u>July 22, 1999</u>	Date <u>JUNE 24, 1999</u>	Date <u>JUNE 29, 1999</u>
Signature of Inventor 4  MIRO S. CATER	Signature of Inventor 5  VIJAY KUMAR	Signature of Inventor 6  MARKUS FLIERL
Date <u>7/19/99</u>	Date <u>JUNE 29, 1999</u>	Date <u>JUNE 25, 1999</u>